

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MELVIN HODGES, JR.,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C16-1521JLR

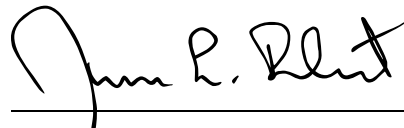
ORDER REGARDING
SUPPLEMENTAL AUTHORITY

On March 8, 2017, Respondent United States of America (“the Government”) filed a notice of supplemental authority concerning the Supreme Court’s decision in *Beckles v. United States*, --- U.S. ---, 2017 WL 855781 (Mar. 6, 2017). (Notice (Dkt. # 11).) The Government argues that “*Beckles* requires [Mr.] Hodges’s motion be denied.” (*Id.* at 2.) Mr. Hodges filed a response to the Government’s notice in which he asks the court to defer ruling on his 28 U.S.C. § 2255 petition (Mot. (Dkt. # 1)) until after he files a supplemental memorandum as to why the Supreme Court’s decision in *Beckles*

1 does not control the outcome of his petition (Resp. (Dkt. # 12) at 1). Mr. Hodges
2 commits to filing his supplemental memorandum by March 15, 2017. (*See id.*)

3 The court will defer ruling on Mr. Hodges's petition until after it has reviewed Mr.
4 Hodge's supplemental memorandum. The court ORDERS Mr. Hodges to limit his
5 supplemental memorandum to 10 pages. In addition, the Government may, but is not
6 required to, file a supplemental memorandum of no more than 10 pages responding to the
7 same issue. If the Government files a supplemental memorandum, it shall do so no later
8 than March 15, 2017. Finally, the court DIRECTS the Clerk to re-note Mr. Hodges's
9 petition (*see* Dkt. ## 1, 8) to March 15, 2017.

10 Dated this 13th day of March, 2017.

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13 JAMES L. ROBART
14 United States District Judge
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